IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ

Serial No.   10/590,803

Filed: August 25, 2006

Conf. No.: 1422

Examiner: SZNAIDMAN, M.

Group Art Unit: 1611

For: **NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS**
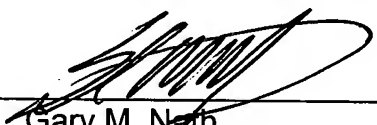
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

(1)   Transmittal Letter, one (1) page; and
(2)   Response to Notice of Non-Responsive Amendment, three (3) pages.

Respectfully submitted,
THE NATH LAW GROUP

By: _____
Gary M. Nath
Registration No. 26,965
Sheldon M. McGee
Registration No. 50,454
Customer No. 34375

October __1__, 2008

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
Phone: 703-548-6284

GMN/SMM/few:FR_TL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAUTZ	Conf. No.: 1422
Serial No. 10/590,803	Examiner: SZNAIDMAN, M.
Filed: August 25, 2006	Group Art Unit: 1611

For: **NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS**

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Communication dated September 15, 2008. The period for response is set to expire on October 15, 2008. Accordingly, this Response is timely filed within the time period set by the Examiner.

REMARKS

The Examiner has indicated that the Response filed on June 2, 2008 was not fully responsive to the prior Restriction/Election requirement mailed on May 1, 2008, because Applicants did not specify the following:

1) The position at which the pyridinyl group of HAR is attached to the molecule;

2) The specific substituents on the pyridinyl group of HAR (R6, R7, R8) and their exact positions on the pyridinyl group of HAR; and

3) A particular species for R8.